J. Leighton Read et al. (As An Application No.: 09/654,948

Page 2

statement that the methods would read on patentably distinct species without being specific, it appears that this requirement is merely a species election. As such, Applicants reserve their right to traverse any subsequent restriction requirement.

Moreover, Applicants' attorney Mr. Phillip McGarrigle spoke to the Examiner regarding this species election requirement. In this conversation, Mr. McGarrigle stated that there were many of Applicants' applications where this species election had not been made and many have issued as patents. The Examiner acknowledged that such a species election requirement has not typically been required and that she would search the full scope of the claims if and when appropriate.

CONCLUSION

In view of the foregoing, Applicants respectfully request early action on the merits of all methods of making the arrays of the present invention. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,

Joseph R. Snyder Reg. No. 39,381

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834

Tel: (415) 576-0200 Fax: (415) 576-0300

JS/me SF 1225422 v1